

AMENDMENTS TO THE CLAIMS:

Amend the claims as follows:

1. (Currently Amended) A method for expressing in a non-monocotyledonous plant or plant cell a nucleic acid operably linked to a regulatory sequence, wherein said regulatory sequence comprises is selected from:

(i) SEQ ID NO:1,

(ii) a functional fragment of SEQ ID NO:1, or

(iii) a functional variant of SEQ ID NO:1, wherein said functional variant

hybridizes to SEQ ID NO:1 under stringent conditions,

said method comprising the introduction of said nucleic acid operably linked to said regulatory sequence into a non-monocotyledonous plant or plant cell, and wherein said regulatory sequence drives expression of said nucleic acid .

2. (Currently Amended) A method for expressing an endogenous nucleic acid in a non-monocotyledonous plant or plant cell, which method comprises introducing into this plant or plant cell a regulatory sequence comprising selected from:

(i) SEQ ID NO:1,

(ii) a functional fragment of SEQ ID NO:1, or

(iii) a functional variant of SEQ ID NO:1, wherein said functional variant

hybridizes to SEQ ID NO:1 under stringent conditions,

such that the regulatory sequence is operably linked to said endogenous nucleic acid sequence, and wherein said regulatory sequence drives expression of said endogenous nucleic acid.

3. (Currently Amended) A non-monocotyledonous plant cell comprising or having SEQ ID NO:1 stably integrated into its genome-a recombinant nucleic acid as represented in SEQ ID NO 1 or a functional fragment or a functional variant thereof, wherein said functional variant hybridizes to SEQ ID NO:1 under stringent conditions.

4. (Previously Presented) A non-monocotyledonous plant cell according to claim 3, wherein said non-monocotyledonous plant cell is a fodder or forage legume cell, an ornamental plant cell, a food crop cell, a tree cell or a shrub cell.

5. (Previously Presented) A plant cell culture, callus or a plant comprising a plant cell according to claim 3.

6. (Currently Amended) A harvestable part, organ, tissue or transformed propagation material of the plant cell culture, callus or plant according to claim 5.

7. (Currently Amended) Method for expression of a nucleic acid in a non-monocotyledonous plant or plant cell, said method comprising introducing into said plant or plant cell [[the]] a regulatory sequence represented by comprising SEQ ID NO 1-or a functional fragment or functional variant thereof, wherein said regulatory sequence is operably linked to said nucleic acid which is either an isolated or an endogenous nucleic acid, and wherein said regulatory sequence drives expression of said nucleic acid.

8. (Previously Presented) A non-monocotyledonous plant cell according to claim 4, wherein said non-monocotyledonous plant cell is a cotton cell, a potato cell, a tomato cell, a cabbage cell, a sugar beet cell, a soybean cell, a bean cell, a sunflower cell or a pea cell.

Claims 9-11. (Canceled)